

APPEAL NO. 030649
FILED APRIL 15, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 22, 2003. The hearing officer determined that the decedent's death was a result of treatment for his _____, compensable injury and, therefore, the decedent's death was a result of the _____, compensable injury. The appellant (carrier) appealed and the respondent (beneficiaries) responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the decedent's death was a result of the treatment he received for his _____, compensable injury, and that his death, therefore, was a result of the compensable injury. This issue presented a question of fact for the hearing officer to resolve based upon a weighing of the medical evidence. Texas Workers' Compensation Commission Appeal No. 012723, decided December 10, 2001. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **PACIFIC EMPLOYERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MARCUS MERRITT
6600 CAMPUS CIRCLE DRIVE EAST, #200
IRVING, TEXAS 75063.**

Daniel R. Barry
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Robert W. Potts
Appeals Judge